

**MINUTES**  
**ENFORCEMENT COMMITTEE MEETING**  
**TEXAS BOARD OF PROFESSIONAL ENGINEERS**  
**1917 SOUTH IH-35, BOARD ROOM, AUSTIN, TX**  
**November 29, 2012-8:30 AM**

**CALL TO ORDER.** Daniel O. Wong, Ph.D., P.E., Committee Chair, called the Enforcement Issues Committee meeting to order at 8:32 am on November 29, 2012, at the Texas Board of Professional Engineers, 1917 South Interstate 35, Austin, TX 78741 (All votes are unanimous, unless otherwise noted).

**1. Roll call and welcome visitors.**

Daniel Wong, Ph.D., P.E.	Chair
Gary Raba, D.Eng., P.E.	Member (excused absence)
Edward Summers, Ph.D.	Member
Elvira Reyna	Member

A quorum was present. Ms. Veena Mohan, Assistant Attorney General, was present to provide legal counsel to the Board. Mr. Edmundo Gonzalez, Jr., P.E., Emeritus Board Member, was present.

The following staff members were present:

Lance Kinney, P.E.	Executive Director
Priscilla Pipho, MPA	Deputy Executive Director
C.W. Clark, P.E.	Director of Compliance & Enforcement
Dewey Helmcamp, III JD	Staff Attorney
Clif Bond	Supervising Investigator
Dorothy Gonzales	Executive Assistant

**Visitors.** Terry Bilderback, P.E., Texas Society of Professional Engineers (TSPE); Doug Bell, P.E., TSPE; Peyton McKnight, Texas Council of Engineering Companies (TCEC)

**2. Public comment.** None.

**DISCUSS AND POSSIBLY ACT ON THE FOLLOWING (AGENDA ITEMS 3-7):**

**3. Discuss and possibly approve the August 16, 2012 Enforcement Minutes.**

It was MOVED/SECONDED (Reyna/Summers) to approve the August 16, 2012, Enforcement minutes as submitted. A vote was taken and the MOTION PASSED.

**4. Discuss and possibly act on the following rule adoption.**

Mr. Clark reported that the following rules were proposed and approved by the board in August for posting on the Texas Register. The rules were posted and no comments received. The rules are ready for approval for adoption.

- §137.7 License Expiration and Renewal
- §137.31 Seal Specifications
- §137.37 Sealing Misconduct
- §137.65 Action in Another Jurisdiction

It was MOVED/SECONDED (Summers/Reyna) to recommend to the Board at its Regular Quarterly Board meeting on November 29, 2012, to adopt §§137.7, 137.31, 137.37, and 137.65. A vote was taken and the MOTION PASSED.

5. **Director Of Compliance & Enforcement Report.**

- C & E Process Improvements Update

Mr. Clark reported on the ongoing changes in Compliance & Enforcement Division. He elaborated on the New Complaint process that will be available electronically. He added that the legal letter review is almost complete. The investigator to legal handoff has already occurred. Virginia Alayon, the new investigator, is now managing and handling cases. She is scheduled for some certification training in the Spring. Two investigators have been added to the outreach program.

Dr. Wong asked for a total number of investigators. Mr. Clark responded currently there are 3 full-time, and a supervising investigator who handles about 50 to 60 percent of the case load of an investigator. Dr. Wong asked about the complaint process. Mr. Clark responded that anyone submitting a complaint does receive a letter informing them that their complaint has been received; the person is also updated quarterly per the statute. Mr. Clark added that the new process will generate automated notifications to keep them informed.

6. **Staff Attorney Reports.**

- SOAH Cases
- Suits Against the Board
- Status of Court Cases (Injunctions)

Mr. Helmcamp reviewed the reports submitted as exhibits. Mr. Helmcamp added that there are no SOAH cases pending.

7. **Issues for consideration and schedule next meeting.**

Mr. Kinney commented that the next meeting is February 13-14, 2013.

Adjourn.

It was MOVED/SECONDED (Summers/Reyna) to adjourn the meeting at 8:44 am. A vote was taken and the MOTION PASSED.

Date approved by Committee as submitted:

February 14, 2013

Date accepted by Board:

February 14, 2013